

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103

MAR 19 2001


SUBJECT: Technical Support Document - Adequacy Findings for the Mobile Vehicle Emissions Budgets in the Revised Phase II Plan; Maryland; Revisions to Mobile Budgets to Reflect the Tier 2/Sulfur-in-Fuel Rule for the Philadelphia-Wilmington-Trenton Ozone Nonattainment Area (Cecil County):

FROM: Paul T. Wentworth, P.E.
Environmental Engineer (3AP23)



TO: Administrative Record for the Adequacy Findings for the Budgets in the Revised Phase II Plan for the Maryland portion of the Philadelphia-Wilmington-Trenton Ozone Nonattainment Area (Cecil County)

THRU: Robert Kramer, Chief
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Branch (3AP23)



I. Administrative Requirements for Making Adequacy Findings

The adequacy of the 2005 budgets contained in the revised Phase II Plan submitted by the State of Maryland on December 28, 2000 for the Maryland Portion of the Philadelphia-Wilmington-Trenton Nonattainment Area were reviewed in accordance with the procedures and criteria of the Transportation Conformity Rule contained in 40 CFR Part 93, Sections 118 (e) (4) through (e) (5) and the guidance contained in both the November 3, 1999 EPA Memorandum from Merrylin Zaw-Mon entitled: "Guidance on Motor Vehicle Emissions Budgets in One-Hour Ozone Attainment Areas," and the May 14, 1999 EPA Guidance Memorandum from Gay MacGregor entitled, "Conformity Guidance on the Implementation of the March 2, 1999 Conformity Court Decision."

On December 28, 2000, the Maryland Department of the Environment formally submitted its revised Phase II Plan for the Philadelphia-Wilmington-Trenton Ozone Nonattainment Area (Cecil County) Nonattainment Area as a State Implementation Plan (SIP) revision. The revised Phase II Plan contains revised attainment demonstration motor vehicle emissions budgets and revised rate of progress (ROP) motor vehicle emissions budgets. The state 30-day public comment period on the SIP revision closed on December 12, 2000.

On January 17, 2001, a notice was posted on EPA's web site at <http://www.epa.gov/oms/transp/traqconf.htm>, for the purpose of opening EPA's 30-day public comment period on the adequacy of the budgets in the Revised Phase II Plan for the Philadelphia-Wilmington-Trenton Ozone Nonattainment Area (Cecil County). EPA's public comment period closed on February 16, 2001. No public comments were submitted.

We will publish a Federal Register notice announcing our adequacy findings. The effective date of the adequacy findings will be 15 days after the publication date of that Federal Register notice. The letter to the State of Maryland and the attached Technical Support Document (TSD) will be posted on EPA's website at <http://www.epa.gov/oms/traq> once EPA has published the Federal Register notice announcement of our findings.

II. Evaluation of the Budgets

Table 1

The Budgets			
Clean Air Act Requirement	Milestone Year	Mobile Vehicle Emissions Budget for NOx in Tons Per Day	Mobile Vehicle Emissions Budget for VOC in Tons Per Day
Attainment Demonstration	2005	5.6	2.6
Rate of Progress plan	2005	5.6	2.6

Table 2

Adequacy of the Budgets in the Attainment SIP Revision for the Maryland Portion of the Philadelphia-Wilmington-Trenton Ozone Nonattainment Area (Cecil County)		
Transportation Conformity Rule 40 CFR Part 93, § 93.118	Review Criteria	Was the Criterion Satisfied? If “Yes” How was this Criteria Satisfied?
Sec. 93.118(e)(4)(i)	Was the submitted plan endorsed by the Governor (or his or her designee) and subject to a State public hearing?	Yes. The SIP was endorsed and submitted by the Secretary of the Maryland Department of the Environment (MDE), the Governor’s designee formally delegated the authority to submit SIP revisions to EPA. A public hearing was held.
Sec. 93.118(e)(4)(ii)	Before the attainment demonstration was submitted to EPA, did consultation between federal, State and local agencies occur; was full implementation plan documentation provided to EPA, and was EPA’s stated concerns, if any, addressed?	Yes. Consultation has occurred among all required federal, state and local agencies.
Sec. 93.118(e)(4)(iii)	Was the motor vehicle emissions budget(s) clearly identified and precisely quantified?	Yes, the budget is clearly identified on a page (3) of the SIP revision.

Sec. 93.118(e)(4)(iv)	Is the motor vehicle emissions budget(s), when considered together with all other emission reductions, consistent with applicable requirements for the control strategy implementation plan?	EPA believes that the attainment budgets can be declared adequate based upon the fact that they include all controls in effect in 2005. The 2005 budgets reflect the following controls: FMVCP, reformulated gasoline Phase I and II, enhanced I/M, Tier 1 and Tier 2 Vehicle Standards/ Sulfur-in-Fuel rule, NLEV, and HDDE rule.
Sec. 93.118(e)(4)(v)	Is the motor vehicle emissions budget(s) consistent with and clearly related to the emissions inventory and the control measures in the Plan?	EPA believes that the budgets are clearly related to the emissions inventory and the control measures in the Plan.
Sec. 93.118(e)(4)(vi)	Revisions to previously submitted attainment demonstrations: explain and document any changes to previously submitted budgets and control measures; impacts on point and area source emissions; any changes to established safety margins (see Sec. 93.101 for definition); and reasons for the changes (including the basis for any changes related to emission factors or estimates of vehicle miles traveled).	Yes. The Plan explains that the budget changes are due to the modification of the mobile source budgets to include reductions from the Tier 2 Vehicle Standards/ Sulfur-in-Fuel Rule.

Sec. 93.118(e)(5)	Did they provide and did we review public comments and the State's responses to those comments with the submitted control strategy SIP?	Yes. On November 12, 2000, Maryland published a public notice in the Baltimore Sun. That notice announced the availability of the proposed revisions to Phase II Plan for public review and comment. It also announced the date, time and venue of the public hearing. On December 12, 2000 a public hearing was held. No comments were submitted.
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Table 3

Adequacy of the Budgets in the 2005 ROP SIP Revision for the Maryland Portion of the Philadelphia-Wilmington-Trenton Ozone Nonattainment Area (Cecil County)		
Transportation Conformity Rule 40 CFR Part 93, § 93.118	Review Criteria	Was the Criterion Satisfied? If "Yes" How was this Criteria Satisfied?
Sec. 93.118(e)(4)(i)	Was the Phase II plan endorsed by the Governor (or his or her designee) and subject to a State public hearing?	Yes. The SIP was endorsed and submitted by the Secretary of the Maryland Department of the Environment (MDE), the Governor's designee formally delegated the authority to submit SIP revisions to EPA. A public hearing was held.

Sec. 93.118(e)(4)(ii)	Before the Phase II plan was submitted to EPA, did consultation among federal, State and local agencies occur; was full implementation plan documentation provided to EPA, and was EPA's stated concerns, if any, addressed?	Yes. Consultation has occurred between all required federal, state and local agencies and implementation documentation was provided. EPA stated its concerns on the proposed revised plan in a letter dated December 12, 2000. Maryland's formal SIP submittal addressed and satisfied these concerns.
Sec. 93.118(e)(4)(iii)	Were the budgets clearly identified and precisely quantified?	Yes.
Sec. 93.118(e)(4)(iv)	Are the budgets, when considered together with all other emission reductions, consistent with applicable requirements for the control strategy implementation plan?	Yes. The required ROP was demonstrated in Appendix A of the formal SIP submittal. The SIP submittal demonstrates that the control measures and strategy adopted and imposed by Maryland in Cecil County achieve the reductions necessary to meet the ROP requirements.
Sec. 93.118(e)(4)(v)	Are the budgets consistent with and clearly related to the emissions inventory and the control measures in the submitted control strategy implementation plan?	Yes. Note: The 2005 ROP plan does not take credit for the Tier 2/Sulfur-in-fuel rule. The state was able to meet the ROP requirements in Cecil County without those reductions. However, the State further constrained the budgets in the 2005 ROP plan to be identical to the budgets in attainment plan. As indicated in Table 2, above, the attainment plan budgets do reflect Tier 2/Sulfur-in-fuel rule benefits as those reductions are credited in the attainment plan.

Sec. 93.118(e)(4)(vi)	Revisions to previously submitted control strategy implementation plan: explain and document any changes to previously submitted budgets and control measures; impacts on point and area source emissions; any changes to established safety margins (see Sec. 93.101 for definition); and reasons for the changes (including the basis for any changes related to emission factors or estimates of vehicle miles traveled).	Yes. The plan explains on page 4 of the submission that the ROP budget changes are due to corrections in rule effectiveness and additional reductions from the application of graphic arts rules to area sources.
Sec. 93.118(e)(5)	Did the state provide opportunity for public comment and did we review the State's responses to those comments with the submitted SIP?	Yes. On November 12, 2000, Maryland published a public notice in the Baltimore Sun. That notice announced the availability of the proposed revisions to the Phase II Plan for public review and comment. It also announced the date, time and venue of the public hearing. One letter of comment was submitted. EPA reviewed the comments and the State's responses, and determined that the State adequately responded to those comments.

IV. Recommendation - Based upon our review and evaluation of the Plan submitted on December 28, 2000, submitted by the Maryland Department of the Environment, we recommend that both sets of motor vehicle budgets contained in the revised Phase II Plan for Cecil County be found adequate.